



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

SLR:LDM:CSK
F. #2014R00501

*271 Cadman Plaza East
Brooklyn, New York 11201*

May 2, 2018

By Hand and ECF

The Honorable Kiyo A. Matsumoto
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Martin Shkreli:
Third-Party Petition filed by the New York State Attorney General
Criminal Action No. 15-CR-637 (S-1)(KAM)

Dear Judge Matsumoto:

The United States respectfully submits this letter to request an extension of its time to respond to the above-referenced third-party petition (the “Petition”) filed by the New York State Attorney General, dated April 20, 2018 (Docket Entry No. 591). Pursuant to the Court’s Order dated April 30, 2018, the government was permitted until May 7, 2018 to submit a response stating its position with regard to the Petition. The government requests that its time to respond be extended to and including June 11, 2018.

This request is made to allow all other potential third-party claimants to file petitions in response to the Preliminary Order of Forfeiture (“POF”), entered on March 5, 2018. As notice of the POF was first published on March 20, 2018, other potential third-party claimants have until May 21, 2018, to file petitions.¹ See Docket Entry No. 590 (Certificate of Service/Affidavit of Legal Notice Publication). Given that other third-parties may assert an interest in the same assets claimed by the New York State Attorney General

¹ Any third-party that has an interest in specific property subject to criminal forfeiture must file a petition within sixty (60) days of the first date of publication of the government’s notice of forfeiture on the official government forfeiture website. See Fed. R. Crim. P. 32.2(b)(6)(C); Rules G(4)(a)(iii)-(iv) and G(5)(a)(ii)(B) of the Federal Rules of Civil Procedure; and 21 U.S.C. § 853(n)(2). Sixty days from March 20, 2018 is May 19, 2018; however, because May 19 is a Saturday, the last date for third-party petitions to be filed is Monday, May 21, 2018. See Rule 6(a)(1)(C) of the Federal Rules of Civil Procedure.

after the government's current May 7 deadline, the government requests additional time to assess the Petition along with any others filed by third-parties before responding.

This is the government's first request for an extension of its time to respond to the Petition. The New York State Attorney General's Office has no objection to the extension, but requests that it have an opportunity to respond to the government's submission. Accordingly, the government respectfully requests that its time to respond to the Petition be extended from May 7, 2018 to June 11, 2018.

We thank the Court for its consideration of this request.

Respectfully submitted,

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By:

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cc: (via ECF) All Counsel of Record